



Reprinted
March 20, 2015

ENGROSSED HOUSE BILL No. 1170

DIGEST OF HB 1170 (Updated March 19, 2015 2:01 pm - DI 92)

Citations Affected: IC 15-11; IC 15-17.

Synopsis: Agricultural matters. Authorizes the department of agriculture (department) to establish a farm commodities and market news service as a pilot program for the 2015-2017 biennium. Authorizes the department to expand the program beginning July 1, 2017. Provides that a program established by the department must be funded from the livestock industry promotion and development fund. Allows the feeding of garbage to swine if the garbage is treated to kill disease organisms in accordance with rules adopted by the Indiana board of animal health (board) and the processing occurs at a facility operated by a person holding a valid license issued by the board.

Effective: July 1, 2015.

Ubelhor, Friend, Klinker

(SENATE SPONSORS — BASSLER, LEISING, GLICK)

January 12, 2015, read first time and referred to Committee on Agriculture and Rural Development.

January 20, 2015, reported — Do Pass.

January 22, 2015, read second time, amended, ordered engrossed.

January 23, 2015, engrossed.

January 26, 2015, read third time, passed. Yeas 96, nays 0.

SENATE ACTION

February 24, 2015, read first time and referred to Committee on Agriculture.

March 17, 2015, amended, reported favorably — Do Pass.

March 19, 2015, read second time, amended, ordered engrossed.

EH 1170—LS 7069/DI 109



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First Regular Session of the 119th General Assembly (2015)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1170

A BILL FOR AN ACT to amend the Indiana Code concerning
agriculture and animals.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 15-11-5-4, AS ADDED BY P.L.2-2008, SECTION
2 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
3 2015]: Sec. 4. (a) The livestock industry promotion and development
4 fund is established as a dedicated fund to be administered by the
5 department.
6 (b) Money in the fund must be spent by the department:
7 (1) exclusively for the purposes described in this chapter **and**
8 **IC 15-11-14**, including administrative expenses; and
9 (2) throughout Indiana.
10 (c) Money in the fund at the end of a state fiscal year does not revert
11 to the state general fund. However, if the fund is abolished, the money
12 in the fund reverts to the state general fund.
13 (d) There is annually appropriated to the department the entire
14 amount of money in the fund for the use of the department in carrying
15 out the purposes of this chapter.

EH 1170—LS 7069/DI 109



1 (e) The department may solicit grants and gifts from public or
2 private sources for the fund.

3 SECTION 2. IC 15-11-14 IS ADDED TO THE INDIANA CODE
4 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2015]:

6 **Chapter 14. Farm Commodities and Market News Service**

7 **Sec. 1. (a) Beginning July 1, 2017, the department may:**

- 8 (1) implement and promote a program to supply to the
9 agriculture industry marketing assistance that provides
10 unbiased price and sales information to assist in the
11 marketing and distribution of farm commodities; and
12 (2) implement and maintain a market news service for the
13 purpose of disseminating information that will aid producers
14 and consumers in the sale and purchase of agricultural
15 products.

16 (b) Beginning July 1, 2015, the department may develop and
17 implement a pilot program that incorporates the requirements in
18 subsection (a). A pilot program established under this subsection
19 must:

- 20 (1) be designed in a manner that will allow for the expansion
21 of information that is provided in the future based on the
22 needs of the agricultural industry; and
23 (2) focus on livestock and forage products.

24 A pilot program established under this subsection expires July 1,
25 2017.

26 **Sec. 2. The department may negotiate and enter into**
27 **cooperative agreements with the United States Department of**
28 **Agriculture or any other appropriate federal agency to implement**
29 **this chapter.**

30 SECTION 3. IC 15-17-2-34, AS ADDED BY P.L.2-2008,
31 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
32 JULY 1, 2015]: Sec. 34. (a) "Garbage" means:

- 33 (1) any waste material derived in whole or in part from any
34 animal, including fish and poultry; or
35 (2) refuse from the handling, preparation, cooking, or
36 consumption of food that has been associated with waste material
37 derived in whole or in part from any animal, including fish and
38 poultry.

39 (b) The term does not include:

- 40 (1) bakery waste;
41 (2) candy waste;
42 (3) eggs;



(4) domestic dairy products; ~~or~~

(5) a processed product;

(6) a rendered product; or

~~(5) (7)~~ waste from ordinary household operations that is fed directly to swine on the same premises where the household is located.

SECTION 4. IC 15-17-2-91.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 91.5. "Processed product" means material derived in whole or in part from any animal, including fish and poultry, and other refuse that has been associated with any such material, that has undergone an industrial manufacturing procedure to prevent spoilage or add shelf stability that has been:**

(1) at a minimum, cooked to a temperature of one hundred sixty-seven (167) degrees Fahrenheit for at least thirty (30) minutes; or

(2) subjected to another industrial process demonstrated to provide an equivalent level of inactivation of disease organisms, as approved by the board.

SECTION 5. IC 15-17-2-95, AS ADDED BY P.L.2-2008, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 95. "Rendered product" means waste material derived in whole or in part from any animal, including fish and poultry, and refuse from the handling, preparation, cooking, or consumption of food that has been:**

(1) ground and heated to a minimum temperature of two hundred thirty (230) degrees Fahrenheit to make products such as animal, poultry, or fish protein meal, grease, or tallow; or

(2) subject to other industrial processes demonstrated to provide an equivalent level of inactivation of disease organisms, as approved under rules adopted by the board.

SECTION 6. IC 15-17-10-16, AS ADDED BY P.L.2-2008, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 16. A person may not feed or permit the feeding of garbage to swine, ~~except for rendered products~~. unless:**

(1) the garbage is treated to kill disease organisms in accordance with rules adopted by the board; and

(2) the processing occurs at a facility operated by a person holding a valid license issued by the board, for the treatment of garbage.



COMMITTEE REPORT

Mr. Speaker: Your Committee on Agriculture and Rural Development, to which was referred House Bill 1170, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1170 as introduced.)

LEHE

Committee Vote: Yeas 12, Nays 0

HOUSE MOTION

Mr. Speaker: I move that House Bill 1170 be amended to read as follows:

Page 2, line 36, delete "feeding" and insert "**processing**".

(Reference is to HB 1170 as printed January 20, 2015.)

UBELHOR

COMMITTEE REPORT

Madam President: The Senate Committee on Agriculture, to which was referred House Bill No. 1170, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 15-11-5-4, AS ADDED BY P.L.2-2008, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 4. (a) The livestock industry promotion and development fund is established as a dedicated fund to be administered by the department.

(b) Money in the fund must be spent by the department:

(1) exclusively for the purposes described in this chapter **and IC 15-11-14**, including administrative expenses; and

(2) throughout Indiana.

(c) Money in the fund at the end of a state fiscal year does not revert to the state general fund. However, if the fund is abolished, the money in the fund reverts to the state general fund.

EH 1170—LS 7069/DI 109



(d) There is annually appropriated to the department the entire amount of money in the fund for the use of the department in carrying out the purposes of this chapter.

(e) The department may solicit grants and gifts from public or private sources for the fund.

SECTION 2. IC 15-11-14 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]:

Chapter 14. Farm Commodities and Market News Service

Sec. 1. (a) Beginning July 1, 2017, the department shall:

- (1) implement and promote a program to supply to the agriculture industry marketing assistance that provides unbiased price and sales information to assist in the marketing and distribution of farm commodities; and**
- (2) implement and maintain a market news service for the purpose of disseminating information that will aid producers and consumers in the sale and purchase of agricultural products.**

(b) Beginning July 1, 2015, the department shall develop and implement a pilot program that incorporates the requirements in subsection (a). The pilot program must:

- (1) be designed in a manner that will allow for the expansion of information that is provided in the future based on the needs of the agricultural industry; and**
- (2) focus on livestock and forage products.**

The pilot program expires July 1, 2017.

Sec. 2. The department may negotiate and enter into cooperative agreements with the United States Department of Agriculture or any other appropriate federal agency to implement this chapter."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1170 as reprinted January 23, 2015.)

LEISING, Chairperson

Committee Vote: Yeas 7, Nays 2.



SENATE MOTION

Madam President: I move that Engrossed House Bill 1170 be amended to read as follows:

Page 2, line 7, delete "shall" and insert "**may**".

Page 2, line 16, delete "shall" and insert "**may**".

Page 2, line 18, delete "The pilot program" and insert "**A pilot program established under this subsection**".

Page 2, line 23, delete "The pilot program" and insert "**A pilot program established under this subsection**".

(Reference is to EHB 1170 as printed March 18, 2015.)

LEISING

